



05-2-03

#13 RCE RCE 1600

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PTO/SB/80 (05-03)  
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Request  
For  
Continued Examination (RCE)  
Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/676,734
Filing Date	September 29, 2000
First Named Inventor	ARNTZEN, Charles J., et al
Art Unit	1638
Examiner Name	Collins, Cynthia E.
Attorney Docket Number	P00245USD

TECH CENTER 1600/2910  
MAY 2 2 2003

RECEIVED

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☒ Other Amendment After Final Rejection filed 4/9/2003 (copy enclosed)
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 26-0084
- i. ☒ RCE fee required under 37 CFR 1.17(e) 05/22/2003 AWONDAF1 00000035 09676734
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 375.00 DP
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 375.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	HEIDI S. NEBEL	Registration No. (Attorney/Agent)	37,719
Signature		Date	5/20/03

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	HEIDI S. NEBEL	Date	5/20/03
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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copy #11

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : ARNTZEN, CHARLES J.  
SERIAL NO : 09/676,734  
FILED : SEPTEMBER 29, 2000  
TITLE : VACCINES EXPRESSED IN PLANTS

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MAY 23 2003

TECH CENTER 1600/2900

Grp./A.U. : 1638  
Examiner : BUI, PHUONG T.  
Conf. No. : 1914  
Docket No. : P00245USD

AMENDMENT AFTER FINAL REJECTION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Madam:

In response to the communication from the Examiner dated December 9, 2002, a final rejection, it is respectfully requested that this Amendment After Final Rejection be entered and made of record pursuant to the provisions of 37 C.F.R. § 1.116. It is believed that the following amendments and remarks place the application in condition for allowance or the application in a better form for appeal. No new matter is presented, as such it is believed the amendment is proper under 37 C.F.R. § 1.116. Applicants respectfully request reconsideration.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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☒ transmitted by facsimile to the Patent and Trademark Office (703) 872-9307.

Date:

4/9/2003

LILA A.T. AKRAD

**Introductory Comments**

Claims 73-75, 83-85, 88, 91 and 98-100 are pending.